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## Snuff out smoking in Md. restaurants

By PHIL ANDREWS

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ALONE AMONG workers in Maryland, restaurant and bar employees are exposed to hazardous secondhand smoke at work. During this session, the General Assembly can end this second-class treatment by adopting the smoke-free restaurant bill.

The Montgomery County Council ended this unfair treatment of restaurant workers by an 8-1 vote in July. Montgomery's smoke-free restaurant law took effect Oct. 9, after county Circuit Court Judge Patrick L. Woodward decisively rejected an attempt by a few restaurants to block this essential public health measure, concluding that the law will be upheld.

The bill before the General Assembly is sponsored by Sen. Ida G. Ruben and Del. Barbara Frush, both Democrats.

Thanks to surgeons general's reports and public health education by groups including the **American Cancer Society**, the American Heart Association and the American Lung Association, the public understands the immediate and long-term dangers of exposure to secondhand smoke -- life-threatening asthma attacks, reduced heart function within 30 to 40 minutes of exposure and lung cancer.

The enthusiasm of Montgomery County residents for smoke-free restaurants is shared throughout Maryland and much of the nation. A poll of registered Maryland voters conducted in mid-December by QEV Analytics of Washington, D.C., found that 67 percent of Maryland residents favor a smoke-free restaurant law.

Florida residents approved a smoke-free restaurant referendum in 2002 with 71 percent of the vote, and Connecticut, Delaware, Maine and New York have recently enacted the same. California was the first state to ban smoking in restaurants and bars. Even all the pubs in Ireland are scheduled to go smoke-free this year. The only question is when Maryland's General Assembly will provide this necessary protection for the public health.

The same obstructionists who for years stood in the way of safe restaurants in Montgomery County -- the Maryland Restaurant Association and Big Tobacco -- are lobbying state lawmakers with scaremonger tactics. Lawmakers need to know that in 1999, when the Montgomery County Council first considered a smoke-free restaurant bill, opponents asserted that Silver Spring would become a ghost town. Opponents haven't had any credibility since.

The fact is, Montgomery County's restaurant industry continues to thrive. Since the smoke-

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free law took effect, the county has received more than 20 applications for restaurant licenses (Montgomery County does not have stand-alone bars; all eating and drinking establishments must earn at least 50 percent of revenues from the sale of food).

Moreover, all of the objective studies of the economic impact of smoke-free restaurant laws show either a neutral or positive impact on overall restaurant industry revenues. This is what one would expect given that 75 percent to 90 percent of adults don't smoke. People continue to go out to eat and drink, and a majority want healthy, smoke-free restaurants.

That's why almost every month another local government enacts a smoke-free restaurant law. Takoma Park's law took effect Nov. 10. Rockville's was approved in December and took effect Feb. 1, and Talbot County approved its smoke-free law Feb. 3, effective April 3.

Gaithersburg, the only large municipality in Montgomery County that still has restaurants with air that's unfit to breathe, is considering smoke-free legislation.

A few opponents in Gaithersburg are trying to persuade the city to continue to allow smoking in enclosed rooms with ventilation systems. The Montgomery County Council rejected this approach after receiving expert testimony from the American Society of Heating, Refrigerating and Air-Conditioning Engineers that even with the best of ventilation systems, "acceptable indoor air quality cannot be achieved in the presence of secondhand smoke."


Local officials would be leading restaurant owners off a financial cliff if they encouraged them to invest in expensive ventilation systems.


We wouldn't consider going back to the days of smoke-filled airplanes. Yet Maryland lets restaurant owners choose whether to protect workers and patrons from dangerous air by allowing smoking in restaurants and bars.

Now is the time for the General Assembly to do its duty and protect the public health by enacting a smoke-free restaurant law.

Phil Andrews, a Democratic member of the Montgomery County Council, was the lead sponsor of the county's smoke-free restaurant law.

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